

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**SB 1982 - HB 2660**

March 1, 2018

**SUMMARY OF BILL:** Authorizes county legislative bodies to supplement the salaries of the Assistant District Attorneys General by depositing funds with the Treasury Department for that specific purpose.

**ESTIMATED FISCAL IMPACT:**

**Other Fiscal Impact – To the extent any county legislative body elects to supplement the salary of the respective Assistant District Attorney General, there will be a permissive increase in local government expenditures. The extent and timing of any such permissive impact cannot be determined due to several unknown factors.**

Assumptions:

- Tennessee Code Annotated § 8-7-226 establishes salaries for Assistant District Attorneys General (ADAG).
- The proposed legislation would allow any county legislative body to determine an amount to deposit into a fund within the state Treasury Department specifically for the specific purpose of supplementing the salaries of the ADAG.
- Tennessee Code Annotated § 16-2-518 requires that any increase in funding provided by a local government for positions or office expense for the district attorney general shall be accompanied by an increase in funding of at least 75 percent to the district public defender in each of those districts for the purpose of indigent criminal defense.
- Due to multiple unknown factors such as how many county legislative bodies will opt to create such a fund, the extent of any appropriations which will be allocated to the fund, if such appropriations were currently being received and appropriated by the county for other county functions or programs, and the extent of any decrease in appropriation which may have otherwise be received by such local program, a precise fiscal impact to local government cannot reasonably be determined.
- Further, to the extent that a local government opts to provide funding to a district attorney general, Tenn. Code Ann. § 16-2-518 would require a mandatory expenditure by the local government to the district public defender. However, this mandatory local expenditure would occur based on a permissive action.
- Any local fiscal impact is considered permissive.

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**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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